

# Exhibit B

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# WorldCat Rights and Responsibilities for the OCLC Cooperative

Date of Last Revision: 2 June 2010

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## 1. Scope, Premise, and Policy Objectives

This policy was created by the Record Use Policy Council, a group charged by the OCLC Board of Trustees to craft a replacement for the "Guidelines for Use and Transfer of OCLC Derived Records," developed in 1987. The membership of the Council can be found in [Appendix 3](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App3) (<https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App3>).

The policy is intended for the [OCLC cooperative](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#cooperative) (<https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#cooperative>), which refers collectively to [OCLC members](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#members) (<https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#members>), the OCLC governance structure (Board of Trustees and Global and Regional Councils), and the non-profit OCLC corporation. Members contribute to the OCLC cooperative through sharing of resources and commitment to the WorldCat [Principles of Cooperation](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#principles) ([/content/marketing/publish/en\\_us/worldcat/community/principles.html](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#principles)).

The purpose of the policy is to define the rights and responsibilities associated with the stewardship of the [WorldCat](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#worldcat) (<https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#worldcat>) bibliographic and holdings database by and for the OCLC cooperative, including the use and exchange of OCLC member-contributed data comprising that database. The policy is based on the premise that OCLC members value WorldCat as a comprehensive, timely, and accurate reflection of the consolidated holdings of those members. The policy's intent is to encourage the widespread use of [WorldCat bibliographic data](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#wcdata) (<https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#wcdata>) while also supporting the ongoing and long-term viability and utility of WorldCat and of WorldCat-based services such as resource sharing, cataloging, and discovery.

The objectives of this policy are to:

- A. Maximize the utility and viability of WorldCat, enable and facilitate innovation based on WorldCat, and support the substantial network of relationships between OCLC members and their partners in today's information landscape, while sustaining the integrity of the WorldCat database and its economic underpinnings.
- B. Promote successful collective action and self-governing behaviors by OCLC members to sustain WorldCat over the long term.
- C. Support a spirit of trust and reciprocity within the OCLC cooperative, as well as a commitment to continual policy evolution as conditions in the information ecosystem change.
- D. Define OCLC member rights and responsibilities for WorldCat contribution, access, and data use or transfer.
- E. Define the rights of OCLC members to use bibliographic data they have extracted from the WorldCat database.
- F. Define the rights of OCLC members to transfer or make available data they have extracted from the WorldCat database to non-members.
- G. Provide suggested language for OCLC members to use in service agreements with agents.
- H. Define OCLC's responsibilities for using member-contributed data.
  - I. Define responsible use of OCLC systems and services.
- J. Define the steps OCLC and OCLC governance can take when disputes arise regarding use of WorldCat data.
- K. Establish a clear and transparent process for management of future changes to this policy that ensures the participation of the cooperative.
- L. Provide a stable policy foundation and framework that will help collaborating organizations (particularly outside of the membership) to have confidence that they can predictably and reliably build upon the WorldCat database in developing new services consistent with the mission and values of the cooperative.

## 2. Preamble

### A. OCLC and WorldCat

OCLC's [public purposes](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#public_purposes) ([/content/dam/oclc/membership/values\\_principles.pdf](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#public_purposes)) include promoting the evolution of library use, of libraries themselves, and of librarianship, and providing processes and products for the benefit of libraries and their users. OCLC and its members form a cooperative to help members share resources, reduce costs, and increase their visibility and impact in the communities they serve. Together OCLC and its members have built WorldCat, the largest database of shared library holdings in the world, and a set of services that use this database. OCLC members, OCLC governance participants, and OCLC management all have roles in the community that builds, shares, uses, and manages the network resource that is WorldCat.

### B. OCLC Management and Governance

OCLC is the steward of the WorldCat database as well as the provider of access, services, infrastructure, software, hardware, and support. The OCLC Board of Trustees—made up of members from academic, public, state, and national libraries plus experts in business, finance, and law—works to ensure that OCLC stays financially secure and true to its public purposes. The [Membership and Governance Protocols](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#membership_and_governance_protocols) ([/content/dam/oclc/membership/membership\\_protocols.pdf](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#membership_and_governance_protocols)) define how member delegates engage with various aspects of managing the cooperative and its central asset, WorldCat. In addition to other duties, delegates have responsibility for commenting on OCLC's actions and intentions, including policy matters.

### C. WorldCat, a Shared Resource

The WorldCat database is more than a collection of OCLC member-contributed records. Its value is in the cooperation and outcomes it supports, not in the ownership of the records themselves. While, on behalf of its members, OCLC claims copyright rights in WorldCat as a compilation, it does not claim copyright ownership of individual records. With millions of bibliographic descriptions and more than a billion holdings from OCLC members around the world, the WorldCat database is a central point of concentration for the largest library network in the world. WorldCat gives libraries a Web-scale presence. The more libraries participate, the better and more useful WorldCat becomes to libraries, their end users, and other organizations that want to interact with libraries on the Web.

WorldCat's value rests in its usefulness as:

1. **A bibliographic record supply.** Comprehensive coverage and high-quality, consistent records facilitate operational efficiency in member libraries.
2. **A registry of library holdings.** Bibliographic data tied to library locations creates a network which supports research and resource sharing.
3. **A discovery environment.** The library network can be accessed as a unit, enhancing convenience and reach. This network can be delivered into other discovery environments.
4. **An infrastructure for knowledge organization.** A common infrastructure supports shared approaches to description, authority control (through NACO, CONSER, etc.), and subject analysis and classification.
5. **An infrastructure for systemwide maintenance of metadata.** Shared infrastructure supports systemwide revisions (e.g., MARC updates, heading changes); data mining for enriched structure (e.g., FRBR, WorldCat Identities); and syndication into other environments.
6. **A source of intelligence about the systemwide "collective collection."** The aggregation of holdings data at the network level supports policy and service decisions about the management of collections within and across institutions.
7. **A repository of data available in multiple ways,** including via WorldCat APIs that allow people to combine WorldCat data with their own applications.

In addition to these benefits, the WorldCat database is a union of national and other union catalogs from around the world, as well as the closest approximation of a national union catalog of library holdings in the United States. This means that WorldCat is the fullest single source of worldwide library holdings available, access to which improves the efficiency with which items can be located in—and requested from—library collections.

## D. WorldCat's Value and Sustainability, and the Need for a Policy

A policy is needed to ensure the continued viability and value of WorldCat as a shared cooperative resource. This policy will:

1. Help maintain a shared community resource that benefits the cooperative of OCLC members;
2. Reinforce the collective commitment to shared values, self-governance, and a spirit of reciprocity and trust;
3. Provide the underpinnings for a business model that sustains WorldCat for the benefit of the cooperative that supports it.

The fact that OCLC has a public purpose does not mean that WorldCat is a "[public good \(https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#publicgood\)](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#publicgood)" in the economic sense. On the contrary, WorldCat is a shared community resource intended to benefit the cooperative of members who contribute to its growth and financially support it. The goal of sharing widely the benefits of WorldCat sits alongside the practical need to sustain the economic viability and value of WorldCat over the long term. Significant costs are involved in the ongoing provision of the high-quality database on which OCLC members rely. If the database does not receive the continued organizational support of OCLC members, there is a very real danger that it will become fragmented and lose its integrity, that its quality will be diminished, and that, consequently, its utility to the OCLC cooperative will be reduced.

## 3. OCLC Member Rights and Responsibilities

### A. Rights

OCLC members who have extracted WorldCat data representing, or enriching the records for, their own holdings from the WorldCat database have the right to:

1. Load or incorporate such data into their library catalogs, or their discovery or resource-sharing systems, and into other intra-institutional services.
2. Use such data for purposes of supporting library collections' discovery and resource sharing; bibliographic verification; private study, learning, and teaching; and academic and scientific research.
3. Transfer or make available such data to individual scholars for their personal academic or scientific research or study, to [library consortia \(https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#consortium\)](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#consortium) or public agencies working on behalf of libraries, or to other libraries and educational, cultural or scholarly institutions (e.g., museums, archives, historical societies, research institutes), whether these institutions are members or non-members of OCLC, for these organizations' institutional or collaborative re-use.  
In these cases, the transfer or making available of WorldCat data and its subsequent uses (including copying, displaying, publishing, modifying, reformatting, and/or creating works or services from) should be carried out in keeping with [OCLC member community norms \(/content/dam/oclc/worldcat/documents/principles-of-cooperation.pdf\)](https://www.oclc.org/en/worldcat/documents/principles-of-cooperation.pdf), OCLC's [public purpose \(/content/dam/oclc/membership/values\\_principles.pdf\)](https://www.oclc.org/en/worldcat/documents/public-purpose.pdf), and this policy's intent.
4. Transfer or make available WorldCat data representing their own holdings to [agents \(https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#agent\)](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#agent) they retain to perform services on their behalf that directly benefit the OCLC member (e.g., peer or consortial resource sharing, automated authority control, increased visibility of collections).
  - a. In these cases, OCLC members should ensure that a written agreement exists with any such agent that limits the agent's use of WorldCat data to performance of the services contracted for by the OCLC member. Sample language for such agreements between members and their agents may be found in [Appendix 1 \(https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App1\)](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App1) below.
  - b. If they also benefit the OCLC cooperative, other uses, transfers, or aggregations of WorldCat data representing a member's own holdings that serve the business purposes of an OCLC member's agent are encouraged, subject to the terms and conditions of a mutually acceptable separate agreement between the agent and OCLC. A general description of the current terms and conditions of such agreements can be found in [Appendix 2 \(https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App2\)](https://www.oclc.org/en/worldcat/cooperative-quality/policy.html#App2) below.

OCLC has in place existing agreements with many agents and will continue to create them as member needs arise.

## B. Responsibilities

It is the responsibility of OCLC members to:

1. Abide by this policy, and ensure awareness of it both within their institutions and on the part of their agents, their cooperatives, and other organizations to which they make their data available.
2. Contribute and maintain bibliographic and holdings data consistent with the standards and guidelines (</content/dam/oclc/worldcat/documents/guidelines-for-contributions-to-worldcat.pdf>) adopted by the OCLC cooperative.
3. Make reasonable efforts to ensure that their contributions to WorldCat do not violate the rights of any third party.
4. Make reasonable efforts to attribute the OCLC cooperative as a contributor in works or services based substantially on WorldCat data.
5. Make reasonable efforts to ensure that the subsequent re-use and transfer of their WorldCat data by non-members is consistent with this policy and OCLC's public purposes and supports the long-term viability and utility of WorldCat.
6. Encourage and practice responsible use of OCLC systems and services, including:
  - a. not permitting unauthorized use of their OCLC logons or passwords;
  - b. not engaging in mass downloading from WorldCat without OCLC's prior written consent;
  - c. not engaging in mass distribution of data directly from WorldCat to non-members without OCLC's prior consent;
  - d. not engaging in other activities that diminish the value of WorldCat to the OCLC cooperative.

## 4. OCLC's Responsibilities to Members

It is the responsibility of OCLC, operating on behalf of the OCLC cooperative, to use member-contributed data to support its public purposes and to benefit the cooperative, including:

- a. Adding member-contributed data to WorldCat, and maintaining such data consistent with the standards and guidelines adopted by the OCLC cooperative.
- b. Modifying, enriching, or reformatting it.
- c. Making it function within WorldCat-based systems and services.
- d. Using it in WorldCat.org for discovery purposes.
- e. Remixing and combining it with other data.
- f. Entering into agreements to share it as broadly as possible with partner organizations and members' agents.
- g. Honoring all existing agreements for the storage, maintenance, and usage of WorldCat records.

## 5. Addressing Disputed Use of WorldCat Data by Members

OCLC member use of data extracted from the WorldCat database is carried out in a diverse and rapidly-changing environment. It is, therefore, impossible to anticipate all of the conceivable uses to which members might want or need to put WorldCat data. OCLC members are encouraged to discuss with OCLC any uses that do not appear to be covered by this policy. If a particular use is determined to not be covered, OCLC and the member will seek a mutually agreeable resolution of the matter. If either party believes that timely resolution cannot be reached, then the matter will follow resolution and/or arbitration procedures to be determined by the Global Council and the Board of Trustees.

## 6. Policy Revision and Evolution

Because it is impossible to anticipate all of the conceivable uses to which members might want or need to put WorldCat data, this policy will be regularly reviewed in order to ensure its continued timeliness and applicability. OCLC will initiate a policy review at least every three years and will make certain that such reviews are conducted in an open and transparent way, and include opportunities both for substantive involvement of the OCLC governance structure and for public comment, as well as a formal change-adoption process.

## Appendix 1: Sample Language for Agreements Between Members and Their Agents

"In connection with Agent's performance of the services specified in this Agreement (the "Services") for Library, Library has made or will make available to Agent copies of bibliographic data, library holdings and/or other information representing Library's own holdings extracted from WorldCat, the online database of such information maintained by OCLC Online Computer Library Center, Inc. ("OCLC") and its members (hereinafter "WorldCat Data"). Except to the extent authorized by a separate written agreement between Agent and OCLC, Agent agrees that:

- (i) it will make no copies and no use of WorldCat Data except as necessary to perform the Services for Library; and
- (ii) it will not transfer or otherwise make available any WorldCat Data (or copies thereof) or any works based on or incorporating WorldCat Data (or any portion thereof) to any party except as necessary to perform the Services.

Agent will promptly delete all WorldCat Data received from Library from its computer systems when the WorldCat Data is no longer needed to perform Services. OCLC may enforce the terms of this paragraph on its own behalf directly against Agent. This paragraph shall survive any expiration or termination of this Agreement."



## Appendix 2: Terms and Conditions of Agreements Between OCLC and OCLC Members' Agents

The separate agreements between OCLC and OCLC members' agents to authorize the agents' use, transfer, or aggregation of WorldCat data referenced in Section 3A(4)(b) of the Policy might include the following general provisions, to the extent deemed appropriate by OCLC:

1. OCLC's authorization for the agent to use, transfer, or aggregate WorldCat data representing the OCLC member's own holdings for purposes that: (i) further OCLC's public purposes, and (ii) provide benefit to the OCLC cooperative and its members;
  2. limitations on the agent's use, transfer, or aggregation of such WorldCat data as necessary to ensure the long-term utility and viability to OCLC members of WorldCat and the OCLC network of services;
  3. an additional exchange of value between OCLC and the agent such as:
    - (i) a reciprocal metadata sharing component, through which OCLC and the agent agree to share metadata for purposes of synchronizing OCLC's databases, including WorldCat, and the agent's database(s);
    - (ii) a reciprocal linking component, through which OCLC and the agent agree to link to each other's databases/web sites for purposes of broadening access to physical and digital library collections; and/or
    - (iii) other exchanges that provide value to the OCLC cooperative and its members;
- and/or
4. other provisions, terms, and conditions that are customary and/or appropriate for the transaction.

## Appendix 3: Record Use Policy Council

**Co-Chair: Barbara Gubbin**, Director, Jacksonville Public Library, USA

**Co-Chair: Jennifer Younger**, President-Elect, OCLC Global Council and Edward H. Arnold Director of Hesburgh Libraries, University of Notre Dame, USA

**ChewLeng Beh**, Global Council Delegate and Chair, OCLC Asia Pacific Regional Council; and Senior Director, Singapore National Library Board, Singapore

**Raymond Bérard**, Global Council Delegate and Director, ABES, France

**Karen Calhoun**, Vice President, WorldCat and Metadata Services, OCLC, USA

**Klaus Ceynowa**, Global Council Delegate and Deputy Director General, Bayerische Staatsbibliothek, Germany

**Christopher Cole**, Global Council Delegate and Associate Director for Technical Services, National Agricultural Library, USA

**Lorcan Dempsey**, Vice President, OCLC Research and Chief Strategist, OCLC, USA

**Nancy Eaton**, Dean of University Libraries and Scholarly Communications, Penn State University, USA

**Clifford A. Lynch**, Executive Director, Coalition for Networked Information (CNI), USA

**Brian E. C. Schottlaender**, Global Council Delegate and The Audrey Geisel University Librarian, University of California, San Diego, USA

**Lamar Veatch**, Global Council Delegate and State Librarian, Georgia Public Library Service—University System of Georgia, USA.

## Glossary

**Agent**. A library will typically contract with a variety of suppliers—vendors, cooperative organizations, and others—for services to achieve its goals. This may involve sharing of data with those suppliers. Examples include digitization of collections, discovery layer services, authority control, or resource sharing systems. These suppliers are 'agents.'

**Library Consortium**. For purposes of this policy, a library consortium is any cooperative association of libraries and/or educational, cultural, or scholarly institutions, (e.g., museums, archives, historical societies, research institutes) that was organized and exists for the primary purpose of providing services to its members and which operates on a not-for-profit basis.

**OCLC Cooperative**. The phrase "OCLC Cooperative" references collectively: OCLC members, the OCLC governance structure (Board of Trustees and Global and Regional Councils), and the non-profit OCLC corporation.

**OCLC Members**. OCLC members belong to the OCLC Cooperative, whose membership model is based on contribution to the shared interests of the OCLC Cooperative. Institutions worldwide become members of OCLC by contractually agreeing to contribute intellectual content to the Cooperative or to share resources with other members.

**Public Good.** A public good has two key characteristics: it is difficult or impossible to prevent unauthorized parties from using the good, and one party's use of the good does not diminish the ability of another party to use it. These characteristics mean that once public goods has been supplied, they are fully available to everyone, and this in turn means that public goods are typically not made available through market mechanisms. They are instead usually supplied by government agencies and funded through taxation. Examples of public goods include national defense and street lights. "Club goods," also called "member goods" or "collective goods," are like public goods in that use of the good by one party does not diminish the ability of another party to use it. However with club goods (unlike public goods), unauthorized parties (e.g., those that do not contribute toward the cost of providing the good) can be excluded (in the absence of appropriate arrangements) from enjoying the benefits of the good. Because of this, the supply of a club good can be sustained through mechanisms that distribute the cost of providing the good across those who benefit from its use. Examples of club goods include satellite television, online subscription news services, agricultural cooperatives, and credit unions.

**WorldCat .** WorldCat is a database of bibliographic records and holdings data representing library collections. It is created through OCLC member contributions and OCLC management aggregation of data from multiple sources.

**WorldCat Data.** For purposes of this policy, WorldCat data is metadata for an information object, generally in the form of a record or records encoded in MARC format, whose source is or at one point in time was the WorldCat bibliographic database.

You have received WorldCat data when (1) you have extracted it directly from the WorldCat database using one of OCLC's services for members (e.g., Connexion, WorldCat Cataloging Partners, CatExpress, the OCLC Z39.50 Cataloging Service, Batchload services) or under the terms of a non-member agreement with OCLC; or (2) you have extracted it from an online catalog or another source to which extracted WorldCat data has been transferred or made available.

Identifying WorldCat as the source of data that has been transferred or made available downstream of the initial extraction from WorldCat can sometimes be complex. A combination of the following data elements in a bibliographic record can help determine if the record was initially extracted from WorldCat:

- An OCLC Control Number along with
  - the 001 field that includes value characters "ocm" or "ocn" and/or
  - the 035 field that includes the value "(OCoLC)" and/or
  - the 994 field (<https://www.oclc.org/support/services/worldcat/documentation/records/994.en.html>)

Approved by the OCLC Board of Trustees on 14 June 2010, effective 1 August 2010.

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## Careers

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